

NEW APPLICATION TRANSMITTAL

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 addressed to the Box Patent Application, Assistant Commissioner for Patents, Washington D.C. 20231 on December 21, 2000. under "EXPRESS MAIL" mailing label number: EL632156685US

*Tammy S. Senecal*  
Tammy S. Senecal

Box Patent Application  
Assistant Commissioner for Patents  
Washington D.C. 20231

Transmitted herewith for filing is the patent application of:

Inventor 1: James A. Parker  
Address: 359 Cameo Circle  
Liverpool, NY 13090

Inventor 2: Jeffrey Pine  
Address: 14 Bristol Avenue  
Auburn, NY 13021

Inventor 3: Thomas J. Koziol  
Address: 4012 Bronco Path  
Camillus, NY 13031

Inventor 4: Michael A. Ehrhart  
Address: 3711 Black Brant Drive  
Liverpool, NY 13090

Inventor 5: Andrew Longacre, Jr.  
Address: 21 Leitch Avenue  
Skaneateles, NY 13152

Inventor 6: Robert M. Hussey  
Address: 5085 Prairieview Drive  
Camillus, NY 13031

Inventor 7: George S. Smith  
Address: 3849 Oran Delphi Rd.  
Manlius, NY 13104

Title: REPROGRAMMABLE OPTICAL READER

1. Type of Application

This is a request for filing a CONTINUATION APPLICATION under 37 C.F.R. §1.53(b), of pending prior application:

Serial No.: 09/385,597  
Filed: August 30, 1999

Group Art Unit: 2876  
Examiner:

Title: OPTICAL READER COMPRISING LOCAL HOST  
PROCESSOR AND OPTICAL READER

Inventors: James A. Parker, et al.

## 2. Papers Enclosed

### A. Required for filing date under 37 CFR 1.53(b) (Regular) are:

87 Page(s) of Specification  
9 Page(s) of Claims  
1 Page(s) of Abstract  
25 Sheets of Drawings (Figs. 1-20)

### B. Other Papers Enclosed

☒ A copy of the Declaration and Power of Attorney from the prior application

☒ Amend the specification by inserting after the title and before the first line the sentence:

### --Cross Reference to Related Application

This is a continuation application of U.S. Serial No. 09/385,597, filed August 30, 1999, , the entirety of which is incorporated herein by reference.--

## 4. Relate Back

### A. 35 U.S.C. 119(e)

☐ Priority of provisional application Serial No. \_\_\_\_\_ filed \_\_\_\_\_, is hereby claimed under 35 U.S.C. §119(e).

### B. 35 U.S.C. 120, 121 and 365(c)

☒ Priority of said prior application 09/385,597, filed August 30, 1999, is hereby claimed under 35 U.S.C. §120.

### C. 35 U.S.C. 119 Priority Claim for Prior Application

☐ Priority of foreign application(s) No. , filed in is hereby claimed under 35 U.S.C. §119.

☐ A certified copy of the above corresponding foreign application was filed in prior application Serial No. on .

☐ A certified copy of the above corresponding foreign application is filed herewith.

**5. Declaration or Oath (including Power of Attorney)**

The power of attorney in the prior application is to George S. Blasiak, Reg. No. 37,283:

- ☒ A copy of the power in the prior application is enclosed.  
☒ Address all future communications to:

Daniel P. Malley, Reg. No. 43,443  
 Wall Marjama & Bilinski  
 101 South Salina Street - Suite 400  
 Syracuse, NY 13202

**6. Inventorship Statement**

The inventorship for all the claims in this application are the same.

**7. Assignment**

The prior application is assigned of record to Welch Allyn Data Collection, Inc. at Reel 010396, Frame(s) 0592.

**8. The filing fee has been calculated as shown below:**

9.

**A. Filing Fee**

☒ Original Patent Application \$ 710.00  
(37 C.F.R. 1.16(a) --\$710.00; Small Entity--\$355.00)

**B. Fees for Claims (45 Claims; 6 Indep.)**

☒ each independent claim in excess of 3  
(37 C.F.R. 1.16(b) --\$80.00; small entity--\$40.00) \$ 240.00

☒ each claim in excess of 20  
(37 C.F.R. 1.16(c) --\$18.00; small entity--\$9.00) \$ 450.00

☐ multiple dependent claim(s)  
(37 C.F.R. 1.16(d) --\$270.00; small entity--\$135.00) \$ .00

**Total Fees Due \$1400.00**

**10. Payment of Fees and Authorization to Charge Additional Fees or Credit Overpayment**

- ☒ A check in the amount of \$1,400.00 is enclosed.  
☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0289. A duplicate copy of this sheet is enclosed.

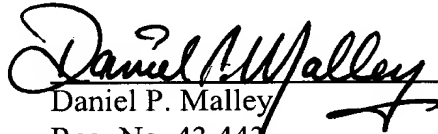
[X] Any additional filing fees required under 37 CFR 1.16.

[X] Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

December 21, 2000

Date

  
Daniel P. Malley  
Reg. No. 43,443

DPM/ts

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00403450

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

December 21, 2000

James A. Parker, et al.

Ser. No.: Concurrently Herewith

Filed: Concurrently Herewith

For: REPROGRAMMABLE OPTICAL READER

Assist Commissioner for  
Patents  
Washington, DC 20231

"EXPRESS MAIL" mailing label number  
December 21, 2000  
I hereby certify that this paper or fee is being deposited with the United States  
Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10  
on the date indicated above and as addressed to the Commissioner of Patents and  
Trademarks, Washington D.C. 20231

*Tammy S. Senecal*  
Tammy S. Senecal

JC912 U.S. PTO  
09/746192  
12/21/00

REQUEST FOR NONPUBLICATION OF APPLICATION  
UNDER 35 U.S.C. §122(b)  
37 C.F.R. §1.213(a)

Sir:

1. This request is being submitted with this application on filing.
2. It is requested that this application not be published under 35 U.S.C. §122(b).
3. This is to certify that the invention disclosed in this application has not been and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

Respectfully submitted,

WALL MARJAMA &amp; BILINSKI

By:

*Daniel P. Malley*  
Daniel P. Malley  
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